

FILED

2008 SEP -9 PM 12:17

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN THE U.S. DISTRICT COURT
SOUTHERN CALIFORNIA DISTRICT

IN RE ERIC W. BURTON #F02720

CASE NO. 08-0325 LAB (POR)

ON FEDERAL H.C.,

DATE 8-15-08

PETITIONER

TIME 0900

VS.

NOTICE AND REQUEST LEAVE

DIRECTOR OF THE C.D.C.R.,

TO EXTEND THE LIMIT OF

RESPONDENT

DENIAL/ANSWER FROM 10

PAGES TO 30 PAGES.

PURSUANT TO 28 USC § 1746; 28 USC §

2254; CONLEY V. GIBSON, 355

U.S. 41, 45-46 (1957)

REQUEST COURT GIVE NOTICE

TO ALL PARTIES OF INSTANT

MATTER

NOW COME THE PETITIONER, ERIC W. BURTON #F02720

NOTICE IS HEREBY GIVEN TO THE ABOVE LISTED COURT HOWL. PORTER,

RESPONDENT, THE STATE ATTORNEY GENERAL AND ALL PARTIES INVOLVED

IN THE INSTANT MATTER, THE PETITIONER UNCONSTITUTIONALLY RESTRAINED

OF HIS LIBERTY IN THE CUSTODY OF THE DIRECTOR OF THE C.D.C.R. TIMELY

REQUEST OF THIS COURT AS SOON AS THE MATTER MAY BE HEARD

TO EXTEND THE PAGE LIMIT OF HIS TO BE DENIAL FROM 10 PAGES

TO 30 PAGES, THE EXTENSION IS NECESSARY FOR PURPOSE OF

LEGAL ARGUMENTS, EXHIBITS OF DOCUMENTS OF PROOF OF DENIAL

OF HIS FEDERALLY GUARANTEED 14TH AMENDMENT DUE PROCESS AND EQUAL

PROTECTION RIGHTS TO DISCOVERY DISCLOSURE, AND FOR MEMORANDUM OF

LAW IN SUPPORT OF DENIAL, AS IN ANY EVENT PETITIONER STIPULATES

1 THAT HIS FIRST AMENDED PETITION BE DEEMED TRAVERSE, REINCORPORATING
2 ALL FACTS, GROUNDS, ISSUES, CONTENTIONS, ARGUMENTS, AND THE MEMORANDUM
3 OF POINTS OF AUTHORITIES IN SUPPORT THEREOF, OF HIS STATE
4 EXHAUSTED REMEDIES AS HE RE ALLEGES, AS STATED THEREIN.
5 PETITIONER INTENDS TO TIMELY FILE A DENIAL OF THE EVENT
6 OF RESPONDENTS ANSWER, AND NEEDS THE HONORABLE JUDGE PORTER
7 TO GRANT THIS GOOD CAUSE TIMELY REQUEST TO EXTEND
8 THE 10 PAGE LIMIT OF THE [DENIAL] FROM 10 PAGES, TO 30
9 PAGES IN THE FAIR ADMINISTRATION OF JUSTICE, AND ACCEPT
10 THE ALREADY LENGTHLY FIRST AMENDED PETITION AS DEEMED
11 TRAVERSE IN ANY EVENT OF RESPONDENTS ANSWER.

12 PRAYER FOR RELIEF -

13 PETITIONER PRAYS OF THIS COURT TO GRANT THE SOUGHT
14 REQUEST, AND FOR THE APPOINTMENT OF COUNSEL IN THIS
15 COMPLEX CASE -

16 VERIFICATION

17 I DECLARE THE FOREGOING IS TRUE AND CORRECT UNDER
18 THE GOVERNING U.S. LAWS OF THE PENALTY OF PERJURY.

19 SIGNED. Eric W. Burton #F02720

20 ERIC W. BURTON

21 DATED 8-15-08

CERTIFICATE OF SERVICE

Case Name: ERIC WILTON BURTON v. DIRECTOR OF THE C.D.C.R., RESPONDENT

Case No.: 08-0325 LAB (POR)

IMPORTANT: You must send a copy of ALL documents filed with the court and any attachments to counsel for ALL parties in this case. You must also file a certificate of service with this court telling us that you have done so. You may use this certificate of service as a master copy, fill in the title of the document you are filing and attach it at the back of each filing with the court. Please list below the names and addresses of the parties who were sent a copy of your document and the dates on which they were served. Be sure to sign the statement below. You must attach a copy of the certificate of service to each of the copies and the copy you file with the court.

I certify that a copy of the NOTICE AND REQUEST FOR LEAVE TO EXTEND DENIAL / TRAVERSE To 30 PAGES
(2 PAGES)
(Name of document you are filing,
i.e., opening brief, motion, etc.)

and any attachments was served, either in person or by mail, on the persons listed below.

Eric W. Burton #F02720

Signature

Notary NOT required

Name

Address

Date Served

CLERK OF THE U.S. DISTRICT COURT, SOUTHERN CA. DIST. 880 FRONT ST #4290 S.D. CA 92101 8-15-08
REQUEST CLERK TO GIVE NOTICE TO ALL PARTIES, RESPONDENT AND ATTORNEY GENERAL
OF INSTANT MATTER.